

Remarks/Arguments:

Claims 1-5, 7-8, 10-15 and 19 are pending and stand rejected.

By this Amendment, claims 1, 5 , 7-8 and 10-12 are amended.

No new matter is presented by the claim amendments. Support for the claim amendments can be found throughout the original specification and, for example, in the original specification at the paragraph spanning pages 18-19 and claim 2.

Rejection of Claim 19 under 35 U.S.C. § 112, Second Paragraph

In the Office Action, at items 3 and 4, claim 19 is rejected under 35 U.S.C. § 112, second paragraph as indefinite.

This ground of rejection is respectfully traversed.

The Examiner contends that the feature of "the information about the hierarchical structure" does not have sufficient antecedent basis. Applicant respectfully disagrees. In particular, claim 1, from which claim 19 depends, includes direct antecedent support (i.e., "information about a hierarchical structure" for such a feature).

Reconsideration is respectfully requested.

Rejection of Claims 1-5, 7-8, 10-15 and 19 under 35 U.S.C. § 103(a)

In the Office Action, at item 6, claims 1-5, 7-8, 10-15 and 19 are rejected under 35 U.S.C. § 103(a) as unpatentable over Nonaka et al. (U.S. Patent No. 6,614,732, hereafter referred to as Nonaka) in view of Proehl et al. (U.S. Patent No. 6,118,450, hereafter referred to as Proehl).

Reconsideration is respectfully requested.

Claim 1

Claim 1 is directed to a recording and reproducing system, and recites:

... wherein the play list file menu information further contains menu type information indicating a type of the predetermined data from among audio, video and static image, and

the play list menu display means is configured to display only the play list file menu information concerning the play lists which are supported by the data reproducing means, (emphasis added).

That is, the play list file menu information contains menu type information indicating a type of the predetermined data from among audio, video and static image. Further, the play list menu display means is configured to display only the play list file menu information concerning the play lists which are supported by the data reproducing means.

Nonaka Reference

Nonaka discloses that each music file (having music data corresponding to a song) is stored in a predetermined folder in the hard disc 20. Further, a tag file corresponding to a respective music file is prepared and also stored in a predetermined folder on the hard disc 20. (See Nonaka at Column 9, lines 15-20 and 52-56.) Fig. 11(a) of Nonaka shows a play list composed of music files (i.e., file 1.a3d, file 4.a3d, file 5.a3d, file 7.a3d, file 6.a3d ... file 2.a3d, file 10.a3d and file 9.a3d ...) and Fig. 11(b) shows a play list composed of tag files (i.e., file 2.tag, file 9.tag ... file 11.tag, file 12.tag ...). Nonaka, however, is silent regarding the use of menu type information that indicates the "type of the predetermined data from among audio, video and static image," (emphasis added), as required by claim 1. That is, in Nonaka different types of files (i.e., audio, video and static images) are not identified. Moreover, Nonaka does not contemplate the display of "only the play list file menu information concerning the play lists which are supported by the data reproducing means," (emphasis added) as required by claim 1.

Proehl Reference

Proehl discloses a multi-disk CD player 110 that includes a music information database 130 and an internal rewritable memory 140. (See Proehl at Column 4, lines 16-26.) After a user loads CDs into the player 110, the player 110 reads identification codes of the CDs and accesses the database 130 to retrieve information on the CDs. (See Proehl at Column 5, lines 24-48.) The CD player 110 stores the information in the memory 140. (See Proehl at Column 5, lines 24-57.) Proehl also discloses that a user may select a play list button 430 on the player 110 to create a play list. The play list is displayed on a graphic user interface and saved. The play list function allows the user to select various songs from different CDs to be played back in a sequence established by the user. (See Proehl at Column 8, lines 44-46 and 57-60.) That is, Proehl merely contemplates the use of CDs, but does not contemplate, for example, the use of video or static images. Thus, Proehl does not disclose or suggest that "the play list file menu information further contains menu type information indicating a type of the predetermined data from among audio, video and static image," (emphasis added), as required by claim 1. Moreover, Proehl is silent regarding the display of "only the play list file menu information concerning the play lists which are supported by the data reproducing means," (emphasis added) as required by claim 1.

Accordingly, claim 1 is submitted to patentably distinguish over Nonaka in view of Proehl for at least the above-mentioned reasons.

Claims 5, 7-8 and 10-12

Claims 5, 7-8 and 10-12, which include similar but not identical features to those of claim 1, are submitted to patentably distinguish over Nonaka in view of Proehl for at least similar reasons to those of claim 1.

Claim 2-4, 13-15 and 19

Claims 2-4, 13-15 and 19 which include all of the features of claim 1, 10, 11 or 12 are submitted to patentably distinguish over Nonaka in view of Proehl for at least the same reasons as their respective independent claims.

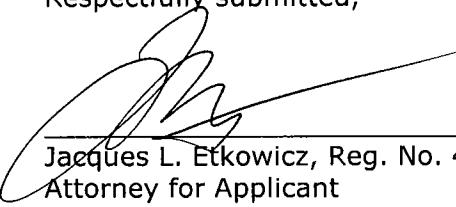
Application No.: 10/725,940
Amendment Dated January 26, 2010
Reply to Office Action of October 30, 2009

MTS-3582US

Conclusion

In view of the claim amendments and remarks, Applicant submits the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



Jacques L. Etkowicz, Reg. No. 41,738
Attorney for Applicant

JLE/EB/nm

Dated: January 26, 2010

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

NM578031